

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

CASE NO. 08-cr-114-02-02

-vs-

JUDGE DRELL

SEAN SULLIVAN (02)

MAGISTRATE JUDGE KIRK

RULING AND ORDER

Before the court is a motion to reduce sentence filed by Sean Sullivan ("Sullivan" or "Defendant") pursuant to 18 U.S.C. § 3582(c)(1). Doc. 111. The government has filed its response. Doc 113. Having carefully reviewed the record in this case, as well as relevant law and jurisprudence, the court has determined that the motion will be **DENIED** for failure to exhaust administrative remedies.

The Fifth Circuit has made clear that exhaustion of all administrative rights of appeal is a mandatory claim-processing rule before prisoners may move for reduction. United States v. Franco, 973 F.3d 465, 468 (5th Cir. 2020). Satisfaction of this claim-processing rule occurs when the prisoner files a request for sentence reduction and either the BOP denies the request or fails to respond within thirty (30) days of the request. 18 U.S.C. § 3582(c)(1). Sullivan does not assert that he has made such a request. Nor does he provide documentation showing that a request has been made and was denied or that a request was unanswered after 30 days.

Because Sullivan has failed to exhaust administrative remedies, it is hereby **ORDERED** that his motion to reduce sentence filed pursuant to 18 U.S.C. § 3582(c)(1)(A) is **DENIED**.

THUS DONE AND SIGNED at Alexandria, Louisiana this 14th day of January, 2022.



DEE D. DRELL, JUDGE
UNITED STATES DISTRICT COURT